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9
10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 UNITED STATES OF AMERICA

No. CR 17 533 EMC

13 Plaintiff,

14
15 v.

**DEFENDANT RUSSELL TAYLOR
OTT'S NOTICE OF JOINDER IN THE
MOTION FOR A CASE
MANAGEMENT ORDER (DOC. NO.
630) FILED BY CODEFENDANT
WENDT**

16 **RUSSELL TAYLOR OTT,**

17 Defendant
18

Date : May 16, 2019
Time : 10:00 a.m.
Dept. : Courtroom B
Magistrate Judge Laurel Beeler
19

20 _____/
21 **TO: THE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT**
22 **OF CALIFORNIA; ASSISTANT UNITED STATES ATTORNEYS KEVIN**
23 **BARRY AND MEREDITH OSBORN; AND TO THE CLERK OF THE**
ABOVE-ENTITLED COURT:

24 PLEASE TAKE NOTICE THAT Defendant RUSSELL TAYLOR OTT, by and through
25 his counsel of record, Robert Waggener and Marcia Morrissey, hereby join in the motion for a
26 case management order (Doc. Nos. 630, 631) filed by defendant BRYAN WAYNE WENDT

27 DEFENDANT RUSSELL TAYLOR OTT'S
28 Notice of Joinder in Case Management Order
(Doc. No. 630) filed by Co-Defendant Wendt

1 (“Defendant Wendt”) on April 19, 2019. Understanding the general assumption of joinder
2 attendant to the pleadings in this case, defendant Ott provides the following additional factual
3 information:

4 As the Court is no doubt aware, defendant Russell Ott is the third death eligible defendant
5 in the Nelson case. To date, there has been no dialogue with the government as to the “seek/no-
6 seek” recommendation issue, and there have been no requests for submission of materials on
7 behalf of defendant Ott. Of course counsel for defendant Ott are preparing to address the death
8 eligibility issue, but we have no problem sequentially deferring to the processes in place, or to be
9 put in place, for Messrs. Wendt and Nelson, both of whom are in custody. With that being said,
10 defendant Ott joins in the case management requests made by defendant Wendt to assure a
11 reasonable and orderly process for addressing the procedural, factual, and legal issues attendant
12 to the death penalty allegations lodged against Mr. Ott. The motion for production of crime facts
13 reports or an informative outline, and for the setting of specified dates for certain death penalty
14 related decisions makes absolute sense in this case and there is precedential authority for making
15 such an order.

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17
18 DATED: May 15, 2019

Respectfully submitted,

19
20 /s/
21 ROBERT WAGGENER
22 Attorney for Defendant
23 RUSSELL TAYLOR OTT

24 /s/
25 MARCIA MORRISSEY
26 Attorney for Defendant
27 RUSSELL TAYLOR OTT

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DEFENDANT RUSSELL TAYLOR OTT’S
Notice of Joinder in Case Management Order
(Doc. No. 630) filed by Co-Defendant Wendt